

AMENDED IN SENATE APRIL 30, 2007

AMENDED IN SENATE MARCH 26, 2007

SENATE BILL

No. 878

Introduced by Senator Cox

February 23, 2007

An act to add Section 4759 to the Penal Code, relating to prisons.

LEGISLATIVE COUNSEL'S DIGEST

SB 878, as amended, Cox. Prison construction costs: mitigation.

Existing law provides that a city, county, or superior court shall be entitled to reimbursement for reasonable and necessary costs; connected with state prisons, state prisoners, state hospitals, and inmates housed and treated in state hospitals, as specified.

This bill would require the state and the Department of Corrections and Rehabilitation to mitigate local impacts of prison construction projects, as specified.

~~This bill would express the intent of the Legislature that this mitigation shall be in the same proportion as the levels of impact created by the projects, as specified.~~

This bill would require that the state and the department provide full reimbursement for all direct services provided by local agencies to the department,—and within the same time period as allowed for reimbursement for services provided by the state for other projects.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 ~~SECTION 1.~~

2 ~~SECTION 1.~~ Section 4759 is added to the Penal Code, to read:

3 4759. (a) (1) The state and the Department of Corrections and
4 Rehabilitation shall mitigate local impacts of any prison
5 construction project. Impacts for which mitigation shall be provided
6 include, but are not limited to, impacts in the areas of water
7 services, wastewater treatment, storage and disposal, transportation,
8 health care services, education, fire protection, and law
9 enforcement.

10 ~~(b)~~

11 (2) It is the intent of the Legislature that this mitigation shall be
12 in the same proportion to the levels of impact created by the
13 projects as the proportion of the levels of impact of other projects
14 approved by the local governing jurisdiction hosting the facility.

15 ~~(e)~~

16 (b) The state and the Department of Corrections and
17 Rehabilitation shall provide full reimbursement for all direct
18 services provided by local agencies to the department. This
19 reimbursement shall be provided within the same time period as
20 allowed by the state for the payment for services provided by the
21 state.